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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,261	04/26/2001	Terry Rayburn	1284a	9763

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EXAMINER	
RAMPURIA, SHARAD K	
ART UNIT	**PAPER NUMBER**
2683	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/843,261	RAYBURN, TERRY	
	Examiner	Art Unit	
	Sharad K. Rampuria	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-18 and 20-34* is/are pending in the application.

4a) Of the above claim(s) *1 and 19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-18 and 20-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Response to Amendment

Applicant's arguments with respect to claims 2-18 & 20-34 have been considered but are moot in view of the new ground(s) of rejection.

Claim 1, 19 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4 & 6-18, 20-23, 25-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. in view of Yoshioka.

2. Regarding Claim 2, Cox disclosed a method of responding to a route planning service request initiated from a first mobile station, the first mobile station being located at a first mobile station position, the route-planning service request defining an identifying-parameter (abstract), the method comprising, in combination:
identifying the first mobile station position based on the identifying-parameter; (pg.3; 0036)
generating or obtaining a route plan for travel from the first mobile station position to the destination position; (pg.4; 0041 & pg.7; 0084) and

conveying the route plan for receipt by a person. (pg.3; 0028)

Cox fails to disclose identifying a destination position corresponding to the destination telephone number. However, Yoshioka teaches in an analogous art, that receiving a destination telephone number, wherein the destination telephone number is a telephone number of a second mobile station; (col.5; 21-57) identifying a destination position corresponding to the destination telephone number (col.5; 21-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include identifying a destination position corresponding to the destination telephone number in order to provide route planning by using the destination telephone number.

3. Regarding Claim 3, Cox disclosed a method as claimed in claim 2, wherein the mobile station comprises a device selected from the group consisting of a wireless telephone, a personal digital assistant, a pager, and a personal computer. (pg.3; 0029)

4. Regarding Claim 4, Cox disclosed a method as claimed in claim 2, wherein the identifying-parameter comprises a code uniquely identifying the mobile station. (pg.3; 0036)

6. Regarding Claim 6, Cox disclosed a method as claimed in claim 2, wherein the identifying-parameter comprises a code uniquely identifying the route planning service request. (pg.3; 0036)

7. Regarding Claim 7, Cox disclosed a method as claimed in claim 2, wherein the identifying-parameter comprises a code identifying a communication session in which the mobile station requests the route plan. (pg.3; 0036)

8. Regarding Claim 8, Cox disclosed A method as claimed in claim 2, wherein identifying the mobile station position based on the identifying-parameter comprises (i) a mobile positioning system determining the position of the mobile station, and (ii) a machine querying the mobile positioning system by a query keyed to the identifying-parameter so as to obtain the mobile station position determined by the mobile positioning system. (pg.3; 0025)

9. Regarding Claim 9, Cox disclosed all the particulars of the claim except the destination telephone number. However, Yoshioka teaches in an analogous art, that a method as claimed in claim 2, wherein receiving a destination telephone number comprises receiving the destination telephone number from the person via the mobile station. (col.5; 21-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the destination telephone number in order to provide route planning by using the destination telephone number.

10. Regarding Claim 10, Cox disclosed a method as claimed in claim 2, wherein receiving a destination telephone number comprises (i) a machine engaging in a dialog with the person via a communications link with the mobile station and (ii) the machine receiving the destination telephone number from the person through the dialog. (pg.3; 0026)

11. Regarding Claim 11, Cox disclosed a method as claimed in claim 10, wherein the dialog comprises a data session. (pg.3; 0027 and 0033)

12. Regarding Claim 12, Cox disclosed a method as claimed in claim 11, wherein engaging in the dialog comprises the mobile station displaying a data form in which the person enters the destination telephone number, and the mobile station conveying the entered destination telephone number to the machine. (pg.4; 0041 and 0043)

13. Regarding Claim 13, Cox disclosed a method as claimed in claim 11, wherein conveying the route plan for receipt by a person comprises conveying the route plan to the person via the data session. (pg.4; 0041 and 0043)

14. Regarding Claim 14, Cox disclosed a method as claimed in claim 10, wherein the dialog comprises a voice session. (pg.3; 0026)

15. Regarding Claim 15, Cox disclosed a method as claimed in claim 14, wherein engaging in the dialog comprises a machine verbally asking the person for the destination telephone number and the person responsively providing the destination telephone number to the machine by a voice-band message. (pg.3; 0026)

16. Regarding Claim 16, Cox disclosed a method as claimed in claim 14, wherein conveying the route plan for receipt by a person comprises conveying the route plan to the person via the data session. (pg.4; 0041)

17. Regarding Claim 17, Cox disclosed all the particulars of the claim except the destination telephone number. However, Yoshioka teaches in an analogous art, that a method as claimed in claim 2, wherein identifying a destination position corresponding to the destination telephone number comprises a machine querying a location system for the destination position by a query keyed to the destination telephone number. (col.5; 21-57) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the destination telephone number in order to provide route planning by using the destination telephone number.

18. Regarding Claim 18, Cox disclosed all the particulars of the claim except a location of the second mobile station. However, Yoshioka teaches in an analogous art, that a method as claimed in claim 17, wherein the location system comprises a mobile positioning system, whereby the mobile positioning may responsively determine a location of the second mobile station and return the location to the machine as the destination position. (col.5; 21-57) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a location of the second mobile station in order to provide route planning by using the destination telephone number.

20. Regarding Claim 20, Cox disclosed a method as claimed in claim 2, wherein the mobile station position is represented as latitude and longitude information, the method further comprising converting the mobile station position to a street address corresponding to the latitude and longitude. (pg.7; 0079).

21. Regarding Claim 21, Cox disclosed a method as claimed in claim 2, wherein the destination position is represented as latitude and longitude information, the method further comprising converting the destination position to a street address corresponding to the latitude and longitude. (pg.7; 0079).

22. Regarding Claim 22, Cox disclosed a method as claimed in claim 2, wherein generating a route plan for travel from the mobile station position to the destination position comprises applying a routing engine, the routing engine receiving as input the mobile station position and the destination position and providing as output a route plan. (pg.7; 0084).

23. Regarding Claim 23, Cox disclosed a method as claimed in claim 22, wherein applying the routing engine comprises sending a service request to a routing engine. (pg.7; 0084).

25. Regarding Claim 25, Cox disclosed a method as claimed in claim 22, wherein applying the routing engine comprises running a software application programmed to compute a route from a starting position to a destination position. (pg.9; 0098)

26. Regarding Claim 26, Cox disclosed a method as claimed in claim 2, wherein conveying the route plan for receipt by a person comprises conveying the route plan to the person via an IP network connection. (pg.5; 0049)

27. Regarding Claim 27, Cox disclosed a method as claimed in claim 2, wherein conveying the route plan for receipt by a person comprises conveying the route plan to the person via a service selected from the group consisting of voice mail, e-mail and short message service. (pg.5; 0049)

28. Regarding Claim 28, Cox disclosed a method as claimed in claim 27, wherein conveying the route plan for receipt by a person is selected from the group consisting of a human reciting the route plan to the person audibly over a telecommunications connection and a machine reciting the route plan to the person audibly over a telecommunications connection. (pg.5; 0057-0058)

29. Regarding Claim 29, Cox disclosed a method as claimed in claim 27, wherein conveying the route plan to the person via short message service comprises conveying the route plan in a sequence of short text messages. (SMS; pg.5; 0049)

30. Regarding Claim 30, Cox disclosed a method as claimed in claim 2, wherein conveying the route plan for receipt by a person comprises sending the route plan to machine for later retrieval by the person. (pg.6; 0069 & 0073)

31. Regarding Claim 31, Cox disclosed a method for assisting a mobile station user to get from a current first mobile station position to a destination position (abstract), the method comprising, in combination:

receiving a route planning service request and responsively initiating a route planning session; (pg.3; 0036)

generating a first mobile station position inquiry, whereby the mobile station position inquiry may be forwarded to a mobile positioning system to establish the mobile station position; (pg.3; 0028)

receiving, in response to the mobile station position inquiry, an indication of the mobile station position, (pg.3; 0028)

conveying the route plan for receipt by the user, (pg.3; 0028)

whereby the route plan may assist the user to travel from the first mobile station position to the destination position. (pg.3; 0028)

generating a route plan for travel from the mobile station position to the destination position; (pg.4; 0041 & pg.7; 0084)

Cox fails to disclosed identifying a destination position corresponding to the destination telephone number. However, Yoshioka teaches in an analogous art, that receiving a destination telephone number (col.5; 21-57); initiating an inquiry to identify a destination position corresponding to the destination telephone number (col.5; 21-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include identifying a destination position corresponding to the destination telephone number in order to provide route planning by using the destination telephone number.

32. Regarding Claim 32, Cox disclosed a method as claimed in claim 31, wherein conveying the route plan for receipt by the user comprises sending the route plan to a machine for later retrieval by the user. (pg.6; 0069 & 0073)

33. Regarding Claim 33, Cox disclosed in a telecommunications network, a route planning application server for assisting a mobile station user to get from a current first mobile station position to a destination position, the route planning application server (abstract) comprising, in combination:

a processor; (68; fig.2)

a data storage medium; (66; fig.2)

a first set of machine language instructions stored in the data storage medium and executable by the processor for receiving a route planning service request and responsively initiating a route planning session; (pg.4; 0041)

a second set of machine language instructions stored in the data storage medium and executable by the processor for providing a mobile station position inquiry and for receiving in response an indication of the mobile station position, whereby the mobile station position inquiry may be forwarded to a mobile positioning system for identification of the mobile station position; (pg.4; 0041, 0045, 0047)

a fourth set of machine language instructions stored in the data storage medium and executable by the processor for generating a route plan for travel from the mobile station position to the destination position; (pg.4; 0041, 0045, 0047)

a fifth set of machine language instructions stored in the data storage medium and executable by the processor for providing the route plan for receipt by the user, (pg.4; 0041, 0045, 0047) whereby the route plan may assist the user to travel from the mobile station position to the destination position. (pg.3; 0028)

Cox fails to disclosed identifying a destination position corresponding to the destination telephone number. However, Yoshioka teaches in an analogous art, that a third set of machine language instructions stored in the data storage medium and executable by the processor for receiving a destination telephone number (col.5; 21-57) and for responsively initiating a inquiry to identify a destination position corresponding to the destination telephone number; (col.5; 21-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the destination telephone number in order to provide route planning by using the destination telephone number.

34. Regarding Claim 34, Cox disclosed a method comprising:
receiving a route planning request; providing the route plan. (pg.4; 0041 & pg.7; 0084)
determining a mobile station location; (pg.7; 0079)

Cox fails to disclosed identifying a destination position corresponding to the destination telephone number. However, Yoshioka teaches in an analogous art, that receiving a destination telephone number; based on the mobile station location and the destination telephone number, (col.5; 21-57) establishing a route plan for travel from the mobile station location to a location corresponding to the destination telephone number; (col.5; 21-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include identifying a

destination position corresponding to the destination telephone number in order to provide route planning by using the destination telephone number.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. & Yoshioka further in view of Schwartz et al.

5. Regarding Claim 5, The above combination disclosed all the particulars of the claim except an IP address. However, Schwartz teaches in an analogous art, that a method as claimed in claim 4, wherein the identifying-parameter comprises an IP address. (pg.2; 0036) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include an IP address in order to provide access to the internet by two way communication in a wireless system.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cox et al. & Yoshioka further in view of Lau et al.

24. Regarding Claim 24, The above combination disclosed all the particulars of the claim except a routing engine. However, Lau teaches in an analogous art, that a method as claimed in claim 23, wherein the routing engine comprises a routing engine selected from the group consisting of (a) MapQuest.com, (b) Mapsonus.com, and (c) Mapblast.com. (pg.4; 0036). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a routing engine in order to provide a particular type for locating desired destination.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu.(8:00-5:30) alternate Fri.(8:00-4:30).
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see *http://portal.uspto.gov/external/portal/pair*. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or *EBC@uspto.gov*.

Sharad Rampuria
Examiner
Art Unit 2683

28 December 2004

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